

Seksaria et al.
USSN 10/821,759
Filed April 8, 2004

Remarks

Favorable reconsideration and allowance of the claims of the present application are respectfully requested.

In the Office Action, Claims 23, 24 and 30 stand rejected under 35 U.S.C. §102(b), as allegedly anticipated by U.S. Patent No. 5,468,038 to Sauri ("Sauri"). Claims 1, 3-11, 14, 15, 23-26 and 28 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,454,338 to Glickman, et al. ("Glickman, et al.") in view of U.S. Patent No. 5,816,638 to Pool ("Pool"). Claims 14 and 15 stand rejected under 35 U.S.C. §112, second paragraph, as allegedly failing to set forth the subject matter of the invention. The drawings stand objected to for allegedly failing to comply with 37 C.F.R. §1.83(a) and the specification has also been objected to for minor informalities. Finally, the Examiner alleges that the original oath or declaration was defective and requires that a new oath or declaration be provided that is in compliance with 37 C.F.R. §1.67(a).

Referring to Page 8 of the present Office Action, the Examiner indicates that the subject matter of dependent Claims 2 and 32 are allowable if rewritten in independent form including all of the limitations of the base claim and an intervening claim. For the purposes of advancing prosecution application have amended base Claim 1 to incorporate the limitations of dependent Claim 2 and have amended base Claim 23 to include the limitations of dependent Claim 32. In light of the amendment to Claim 1 to incorporate the subject matter of Claim 2 and the amendment of Claim 23 to include the subject matter of Claim 32, Claims 2 and 32 have been canceled. Applicants have also changed the dependency of Claim 12 from Claim 2 to Claim 1. Therefore, in light of the amendments to Claims 1 and 23, applicants have overcome the prior art cited by the Examiner and the rejections under §102 and §103 have been obviated.

Turning to the rejections under 35 U.S.C. §112, it is the Examiner's position that Claims 14 and 15 fail to set forth the subject matter which applicants regard as their invention. Specifically, the Examiner notes there is insufficient antecedent basis for the term "U-frame

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arms" in Claim 14. In response to the Examiner's comments, applicants have amended Claim 14 to recite said "U-frame member", having antecedent basis in Claim 1. Applicants have also amended Claim 15 to remove said from before the terms "channel" and "interior". In light of the amendment to Claims 14 and 15, applicants respectfully submit that the §112 rejections have been obviated.

Referring to the objection to the drawings under 37 C.F.R. §1.83(a), it is the Examiner's position that the features that allow the cover plate to be removably attached to the U-frame member are not depicted in the figures. Referring to paragraph 0058 of Applicants disclosure, applicants disclose that the cover plate may be attached to the surface of the tailgate with a plurality of snaps, bolts or other fasteners. Referring now to paragraph 0059 of applicants' disclosure, applicants further disclose that in a preferred embodiment the cover plate may be attached by hinges 410 as illustrated in FIG. 11. Therefore, applicants have illustrated at least one means of attachment of the detachable cover to the U-Frame member and respectfully request that the present objection be withdrawn.

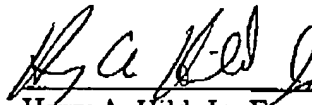
Turning now to the objections to the specification, Applicants have amended the abstract to replace the term "comprising" with "including". Applicants have also amended paragraph 0038 to add a blank space between the word "wire" and the parenthesis.

Applicants have also included a signed declaration in compliance with 37 C.F.R. 1.67(a).

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In summary, applicants respectfully submit that this application is in condition for allowance. Accordingly, applicants respectfully request that this application be allowed and a Notice of Allowance be issued.

Respectfully submitted,



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